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Letter dated 6 August 2013 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to article 12 *bis*, paragraph 2, of the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994, which reads as follows:

> "In the event of a vacancy in the Chambers amongst the permanent judges elected or appointed in accordance with this article, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 12 of the present Statute, for the remainder of the term of office concerned."

In this connection, I should like to recall that Judge Andrésia Vaz, a national of Senegal, resigned as a Judge of the International Tribunal effective 31 May 2013. Pursuant to Security Council resolution 2080 (2012), her term of office would have expired on 31 December 2014 or upon the completion of the cases to which she was assigned, if sooner. The President of the International Tribunal, Judge Vagn Joensen, has requested the appointment of a replacement for the remainder of the term of office.

The Government of Senegal has nominated Mandiaye Niang to replace Judge Vaz. Please find attached his curriculum vitae. It is my view that Mr. Niang meets the qualifications which are prescribed in article 12 of the statute of the International Tribunal.

In accordance with article 12 *bis*, paragraph 2, of the statute of the International Tribunal, I look forward to receiving your views on the appointment of Mr. Niang as a permanent judge of the International Tribunal.

(*Signed*) **BAN** Ki-moon

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